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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/812,363	03/20/2001	Shigeru Sugaya	7217/64053	1743
7590 10/19/2004 COOPER & DUNHAM LLP 1185 Avenue of the Americas New York, NY 10036			EXAMINER HO, CHUONG T	
			ART UNIT 2664	PAPER NUMBER

DATE MAILED: 10/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/812,363	Applicant(s) SUGAYA ET AL.	
	Examiner Chuong Ho	Art Unit 2664	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5</u> . | 6) <input type="checkbox"/> Other: ____. |

1. Claims 1-6 are pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 1-6 are rejected under 35 U.S.C. 102(a) as being anticipated by Sugaya (EP 0986214 A2 "Date of publication: 15.03.2000").

In the claim 1, See figure 4, Sugaya discloses in a transmission controlling method where an access for transmission between a plurality of communicating stations is executed based on control information transmitted from the control station (see abstract); comprising:

Prescribing a predetermined frame period (FIG.4, see col. 7, lines 31-49, shows a structure of signal transmitted between the respective stations (radio transmitting apparatus 1 to 7, 10) within the network system of the present embodiment. The present example is arranged to define a frame cycle for transmitting data);

Providing a management information transmitting field (figure 4, management information transmitting region) in frame period (see col. 7, lines 31-49);

Providing a station sync transmit / receive interval (see figure 4, station synchronous transmission and receiving interval) in management information transmitting field (figure 4, management information transmitting region) (see col. 7, lines 31-49);

Designating a arbitrary communication station (radio transmitting apparatus 1 to 7, 10) to transmit a station synchronization signal thereto at a plurality of frame period intervals during station synchronous transmission and receiving interval (see col. 7, lines 31-49).

4. In the claim 5, see figure 4, Sugaya discloses in a transmission controlling method where an access for transmission between a plurality of communicating stations is executed based on control information transmitted from the control station (see abstract); comprising:

a radio transmission apparatus which serves as a control station of a network (see abstract, Sugaya discloses in a transmission controlling method where an access for transmission between a plurality of communicating stations is executed based on control information transmitted from the control station) when a plurality of transmission apparatus (radio transmitting apparatus 1 to 7, 10) form network to transmit information among a plurality of other communicating stations (see figure 1, col. 5, lines 31-42); communication processing means for transmitting and receiving a radio signal (see figure 1, col. 4, lines 31-49);

station synchronizing setting means for transmitting a synchronizing signal which determines a frame period using communication processing (FIG.4, see col. 7, lines 31-49, shows a structure of signal transmitted between the respective stations (radio transmitting apparatus 1 to 7, 10) within the network system of the present embodiment. The present example is arranged to define a frame cycle for transmitting data);

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designating a management information transmitting field (management information transmitting region, see figure 4) within frame period (frame configuration) and setting a station synchronous transmission and receiving interval (station synchronous transmission and receiving interval) during which communicating stations (radio transmitting apparatus 1 to 7, 10) forming network transmit and receive information within management information transmitting field (management information transmitting region, see col. 7, lines 31-49);

down-link control information (the management information broadcast interval) transmitting means for transmitting down-link control information for notifying a specific communication station (identification Number ID, see figures 5A-5H, col. 9, lines 10-58, col. 10, lines 1-58, col. 11, lines 1-58) which transmits during station sync transmit / receive interval (station transmitting and receiving interval, see figure 4).

5. In the claim 6, see figure 4, Sugaya discloses in a transmission controlling method where an access for transmission between a plurality of communicating stations is executed based on control information transmitted from the control station (see abstract); comprising:

a radio transmission apparatus which serves as a control station of a network (see abstract, Sugaya discloses in a transmission controlling method where an access for transmission between a plurality of communicating stations is executed based on control information transmitted from the control station) when a plurality of transmission apparatus (radio transmitting apparatus 1 to 7, 10) form network to transmit information among a plurality of other communicating stations (see figure 1, col. 7, lines 31-47);

communication processing means for transmitting and receiving a radio signal (see figure 1, col. 7, lines 31-47);

station synchronizing setting means for transmitting a synchronizing signal which determines a frame period using communication processing (FIG.4, see col. 7, lines 31-47, shows a structure of signal transmitted between the respective stations (radio transmitting apparatus 1 to 7, 10) within the network system of the present embodiment.

The present example is arranged to define a frame cycle for transmitting data);

designating a management information transmitting field (management information transmitting region, see figure 4) within frame period (frame configuration) and setting a station sync transmit / receive interval (station synchronous transmission and receiving interval) during which communicating stations (radio transmitting apparatus 1 to 7, 10) forming network transmit and receive information within management information

transmitting field (management information transmitting region, see col. 7, lines 31-47);

down-link control information (the management information broadcast interval) receiving

means for designating a communicating station from which information is transmitted at a designated position within management information transmitting field (Identification

Number ID, see figures 5A-5H, col. 9, lines 10-58, col. 10, lines 1-58, col. 11, lines 1-

58); and transmitting and receiving means for transmitting and receiving information

based on a designation of down-link management information (Identification Number ID, see figures 5A-5H, col. 9, lines 10-58, col. 10, lines 1-58, col. 11, lines 1-58).

6. In the claims 2, 4, Sugaya discloses in order to specify a communicating station (Identification Number ID, see figures 5A-5H, col. 9, lines 10-58, col. 10, lines 1-58, col.

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11, lines 1-58) to transmit during station sync transmit / receive interval (station synchronous transmission and receiving interval, see figure 4), down-link control information (the management information broadcast interval) is provided within management information transmitting field (management information transmitting region, see col. 7, lines 31-47) and a control station (see abstract) designates in advance a communicating station for transmitting information in frame period (frame configuration, see figure 4) based on down-link control information (Identification Number ID, see figures 5A-5H, col. 9, lines 10-58, col. 10, lines 1-58, col. 11, lines 1-58).

7. In the claim 3, Sugaya discloses frame period in which station synchronizing signal is transmitted is changed depending on the number of communicating station forming the network (see col. 5, lines 16-25, see col. 8, lines 1-23) (see col. 7, lines 31-47).

Conclusion

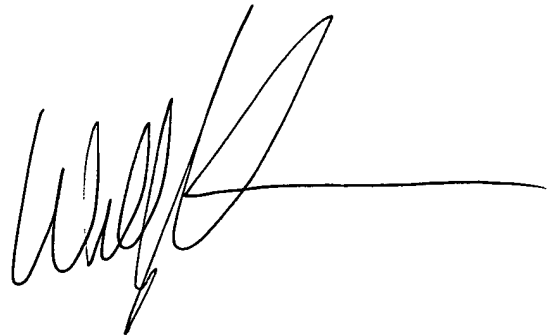
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chuong ho whose telephone number is (571)272-3133. The examiner can normally be reached on Monday-Friday from 8:00AM-4:00PM.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chuong Ho
Examiner
Art Unit 2664

09/27/04

A handwritten signature in black ink, appearing to be 'Chuong Ho', followed by a long horizontal line extending to the right.